

REMARKS

This Response is in reply to the Office Action mailed on July 13, 2005. Claims 1-9 are pending. Claims 10 and 11 have been cancelled. No new matter has been added. Entry and consideration of the amendments and following remarks is respectfully requested.

Examiner Interview

In a conference call with Examiner Xuong M. Chung-Trans on October 21, 2005, she confirmed that the rejections in paragraph 5 and 7 incorrectly referred to Application No. 10/292,803 instead of co-pending Application No. 10/292,089.

Oath/Declaration

A new Declaration/Power of Attorney document will be submitted to correct the priority to claim benefit under 35 USC 120 instead of 35 USC 119(e).

Rejection Based on Double Patenting

The Examiner provisionally rejected claims 10 and 11 under 35 U.S.C. §101 as claiming the same subject matter as claims 43 and 47 of co-pending U.S. Application No. 10/292,803 (See above; should be 10/292,089). Claims 10 and 11 have been canceled. Therefore, it is respectfully requested that the double patenting rejections be withdrawn.

Appl. No. 10/714,803
Response dated October 21, 2005
Response to Office Action of July 13, 2005

750.1168CIP

Rejection Based on Double Patenting

The Examiner provisionally rejected claims 1-9 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 9-17 of co-pending U.S. Application No. 10/292,803 (See above; should be 10/292,089). A terminal disclaimer is being submitted herewith. Therefore, it is respectfully requested that the obviousness-type double patenting rejections be withdrawn.

Conclusion

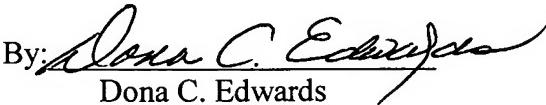
In view of the arguments presented above, it is submitted that the Examiner's rejections have been overcome and should be withdrawn. The application should now be in condition for allowance.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

This Response is being filed with a Petition for a one-month extension of time. In the event that any other extensions and/or fees are required for the entry of this Response, the Patent and Trademark Office is specifically authorized to charge such fee to Deposit Account No. 50-0518 in the name of Steinberg & Raskin, P.C.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,
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